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FEDERAL ELECTION
COMMISSION

2009 AUG 10 PM 12:21

OFFICE OF GENERAL
COUNSEL

George Phillies

Worcester, MA 01609

August 1, 2009

MUR # 6209

Gentlemen and Ladies:

This is a criminal complaint. I allege that violations of Federal Election Campaign Laws or Commission regulations appear to have occurred.

The complaint is brought against

LIBERTARIAN NATIONAL COMMITTEE, 2600 Virginia Ave NW
Suite 200 Washington, DC 20037
Treasurer Name: Aaron Starr

and

BARR 2008 PRESIDENTIAL COMMITTEE
PO BOX 725007 ATLANTA, GA 31139
Treasurer Name: DAVID CHASTAIN

The complaint: I call the Commission's attention to filings of these committees for July and August 2008. The Barr 2008 campaign Schedule A includes

SCHEDULE A

ITEMIZED RECEIPTS

Line #: 17B

Committee: BARR 2008 PRESIDENTIAL COMMITTEE

Libertarian National Committee
2600 Virginia Ave NW Ste 200
Washington, DC 200371914

07/23/2008 10000.00 10000.00

The Libertarian National Committee filings for the corresponding period, Schedule B, fail to show a matching Disbursement.

Either the contribution was not received by the Barr campaign from the Libertarian National Committee, or the Libertarian National Committee did not disclose that it made the contribution. Americans are entitled to know the actual source of the Barr 2008 campaign's contributions. Donors to Libertarian National Committee are entitled ("Disbursements") to see how their money is

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spent. I realize the latter is usually of less interest than the former, however, as most donors do remember, it originally was their money.

I have raised this question with members of the Libertarian Party's National Committee. The remainder of this paragraph, except as specified, is my repetition of what I was told. They deny that such a transfer of funds was authorized by the Libertarian National Committee. They inform me that the Libertarian Party Treasurer, Mr. Starr, categorically denies that such a disbursement was made. However, when the LNC discussed this question, as a person attending the LNC meeting in question as a member of the gallery, I can attest that the LNC went into executive session to discuss the matter. One member of the Libertarian National Committee who contacted the Barr campaign claims to have been told by the Barr 2008 Treasurer, Mr. Chastain, that the money was received on the quoted date as an electronic fund transfer from the Libertarian national Committee.

\$10,000 is larger than the contribution limit from a party national committee to a candidate in a single election. It is possible that part of the contribution refers to Barr's nominating campaign; however, Libertarian National Committee has strict rules against supporting candidates in their nominating campaigns..

I believe that the following pair of transactions, disclosed respectively by the Barr campaign and the Libertarian National Committee, and also involving \$10,000, may be related to this matter. Note that for these committees there are very few \$10,000 disclosures in any direction.

SCHEDULE B

ITEMIZED DISBURSEMENTS

Line #: 23

Committee: BOB BARR LEADERSHIP FUND, THE

The Libertarian National Committee

2600 Virginia Ave NW Ste 200

Washington, DC 200371918

07/31/2008 CONTRIBUTION 10000.00

SCHEDULE A

ITEMIZED RECEIPTS

Line #: 11C

Committee: LIBERTARIAN NATIONAL COMMITTEE

BOB BARR LEADERSHIP FUND, THE

900 Circle 75 Parkway Suite 1280 PMB 246

Atlanta, Georgia 30339

08/06/2008 10000.00 15000.00

Contribution (See Attached Memo) 423300SASA11C.42143

CONTRIBUTION 10000.00

If the LNC made a \$10,000 donation to the Barr campaign, in anticipation of being reimbursed by the Barr Leadership fund, then the donation would appear to have been a loan, but no such loan was reported by the LNC. Also, the Barr Leadership Fund had previously given -- in March/April 2008 -- to the Barr Exploratory campaign, in which case channeling \$10,000 from the Barr Leadership

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Fund through the Libertarian National Committee would appear to have served as a device for evading campaign contribution limits from the Barr Leadership Fund to the Barr 2008 campaign.

Finally, I note that there are legal requirements on bank reporting of transfers of this amount, and therefore the Federal government has a direct record—to which I do not have access—of the alleged transaction. I remain

Most sincerely yours,

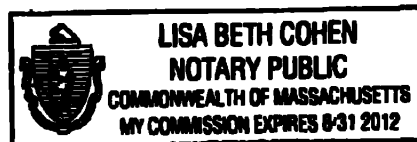
George D.J. Phillies

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Sworn as true to the best of my knowledge and belief

George D.J. Phillies

*Notarized on this 3rd day of August, 2009
by Lisa Beth Cohen
Lisa Beth Cohen*



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